

REMARKS

Applicants and the undersigned thank Examiner Kim for carefully reviewing this application. Reconsideration of the present application in light of the above-amendments and the following remarks is respectfully requested.

Status of the Claims

Upon entry of the above-amendments, claims 1-23 are pending in this application.

Objections to the Specification

The specification was objected to for having inconsistent reference numbers for “frame” and “shank.” The relevant paragraphs have been amended to consistently refer to the frame with the reference number -1-. The reference numbers for the two different shanks (pivot bar 35 and locking bar 39) have been deleted because the shanks are not visible in the figures. Withdrawal of the objections to the specification is respectfully requested.

Objections to the Claims

Claims 4-23 were objected to for having multiple dependent claims reference other multiple dependent claims. Claims 3-23 have been amended to remove all multiple dependencies. Accordingly, withdrawal of the objections to claims 4-23 is respectfully requested.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-3 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,360,984 (“England”). Claims 1-3 were also rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 3,048,348 (“Griffin”) Claim 1 has been amended. To the extent the Examiner maintains the rejections, those rejections are respectfully traversed.

England and Griffin both describe an apparatus for handling woven wire which in use is attached to a farm tractor. Although the apparatus of England or Griffin allows the wire to be played out and has a clamping mechanism, the apparatus only allows the wire to be played out in one direction, namely following the forwards motion of the tractor to which the apparatus is

attached. The apparatus disclosed by England or Griffin does not allow for the direction of the movement of the tractor to be reversed and yet still provide play-out and tensioning of the wire.

In contrast to England or Griffin, the claimed invention as recited in amended claim 1 allows for the wire to play-out when the vehicle moves in the forward or reverse direction. This ability, and support for the amendment to claim 1, is described, for example, starting at the last paragraph on page 8 of the specification, and shown in Figures 3, 4, and 7. Lacking the third operative position recited in claim 1, the apparatus in England or Griffin is only capable of operating their respective lever arm members between first and second operative positions, which coincides with the uncoiling of the wire as the vehicle moves in a forward direction. Consequently, the apparatus in England and Griffin can only operate when the vehicle moves in the forward direction. Both England and Griffin fail to show or suggest a third operative position that would allow their apparatus to operate when the vehicle moves in the reverse direction, as is recited in claim 1.

In view of the above, England and Griffin, whether considered separately or in combination, neither show nor suggest the claimed invention as recited in claim 1. Thus, claim 1 is patentable over England and Griffin. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of these rejections is respectfully requested.

CONCLUSION

Applicants believe all matters in the Office Action dated May 1, 2009 have been addressed. It is believed that no extensions of time or fees are required, beyond the two-month extension provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Deposit Account Number 03-2769 (2135-01400).

Respectfully submitted,
CONLEY ROSE, P.C.



Michael E. Leman
Reg. No. 56,864
P.O. Box 3267
Houston, Texas 77253-3267
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)